IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO.3403 of 2005

Between:

1. S.Kousalya, W/o.B.Gnaneswar Raju, 19 years.
2. B.Gnaneswar Raju, S/o.B.Ramana Raju, 24 years.

(Both are R/o.H.No.2-1-434/5/3, Nallakunta, Street No.5, Hyderabad).

...PETITIONERS

AND

1. The Station House Officer, P.S. Amberpet, Hyderabad.
2. The Station House Officer, P.S. Nallakunta, Hyderabad.
3. The Commissioner of Police, Basheerbagh, Hyderabad.
4. Tirupathi Raju, S/o.Venkateswara Raju, 20 years, Private Employee, R/o.H.No.2-2-1037/A, Amberpet, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or orders more particularly one in the nature of writ of Mandamus declaring the action of the Respondent No.1 herein in threatening and illegally detaining the family members of Petitioner No.2 herein for extracting information about the Petitioners, is illegal, arbitrary and unconstitutional and violation of Article 21 of the Constitution of India and also further prayed that this Hon'ble Court may be pleased to declare the inaction of the Respondent No.2 in registering a criminal case basing on the complaint lodged by the Petitioner No.2's family dated 21.02.2005.

Counsel for the Petitioners: MR.V.RAGHUNATH
Counsel for the Respondents: GP FOR HOME

The Court made the following:

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO.3403 of 2005

ORDER:

The grievance of the petitioners is that the police have been unnecessarily harassing the family members of the second petitioner. The second petitioner is the husband of the first petitioner and their marriage appears to have been performed much against the will of the parents of the first petitioner.

The first petitioner gave a complaint on 21.02.2005 alleging that she is a major, studying Ist year Graduation and requested the police not to interfere with her matrimonial life basing on any false complaint made by her elder brother.

No family member of the second petitioner gave any complaint of this nature to the police. Only on the complaint given by the first petitioner, it could be seen that a complaint was lodged by the elder brother of the first petitioner, but nothing of that sort is available on record. It means that the really aggrieved persons, who are allegedly harassed, did not lodge any complaint before the police. On this score

alone, the Writ Petition is to be dismissed.

However, the learned Government Pleader, upon instructions, brought to the notice of this Court that upon a letter dated 21.02.2005 addressed by the first petitioner, no further proceedings are being taken up and the further action is dropped.

Having regard to the facts and circumstances, the Writ Petition is devoid of merits and is dismissed.

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(D.S.R.VARMA, J)

3rd March 2005

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Station House Officer, P.S. Amberpet, Hyderabad.
2. The Station House Officer, P.S. Nallakunta, Hyderabad.
3. The Commissioner of Police, Basheerbagh, Hyderabad.
4. Two CCs to G.P. for Home, High Court Buildings, Hyderabad (OUT).
5. Two CD copies.